

LABEL, IN PART: "Diaplex for Diabetics Net weight 12 ounces."

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements on the carton label and in the accompanying circular were false and misleading. The statements represented and suggested that the article was an adequate and effective treatment for diabetes, heart, appendix, liver and kidney conditions, bloating of the stomach, diabetic gangrene, and gangrenous infection; and that it was effective to induce sleep and render unnecessary the use of insulin by diabetics. The article was not an adequate and effective treatment for such conditions.

Further misbranding, Section 502 (e) (1), the label of the article failed to bear the common or usual name of the drug.

DISPOSITION: November 14, 1951. Default decree of condemnation and destruction.

3616. Misbranding of Quik-Kap capsules. U. S. v. 46,590 Capsules, etc. (F. D. C. No. 31973. Sample No. 36917-L.)

LIBEL FILED: November 15, 1951, Southern District of New York.

ALLEGED SHIPMENT: On or about September 7, 1951, from Newark, N. J.

PRODUCT: 46,590 *Quik-Kap capsules* at New York, N. Y., in the possession of the Personal Drug Co.

RESULTS OF INVESTIGATION: After receipt of the capsules from Newark, N. J., the consignee repackaged a number of the capsules into 21-capsule-size boxes. At the time of mailing to purchasers, there was inserted with each box in a mailing carton a leaflet entitled "Directions For The Use of Quik-Kaps." The consignee also had on hand a number of leaflets and loose labels used in repacking the bulk material.

LABEL, IN PART: (Box) "Quik-Kap Capsules * * * 21 Capsules * * *
Active Ingredients: Black Cohosh (Powd. Ext. Cimicifuga) 0.0065 Gm. Wind Flower (Powd. Ext. Pulsatilla) 0.0065 Gm. Ferrous Sulfate U. S. P., Manganese Dioxide, Thiamine Hydrochloride U. S. P. (vit. B₁) 0.001 Gm."

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements on the box label and in the leaflet were false and misleading since the statements represented and suggested that the article was an adequate and effective treatment for delayed or irregular menstruation, whereas the article was not an adequate and effective treatment for such conditions. The article was misbranded while held for sale after shipment in interstate commerce.

DISPOSITION: November 30, 1951. Default decree of condemnation and destruction.

3617. Misbranding of vitamin tablets. U. S. v. 720 Packages, etc. (F. D. C. No. 31227. Sample Nos. 23825-L, 23826-L.)

LIBEL FILED: June 29, 1951, District of New Jersey.

ALLEGED SHIPMENT: Approximately 6 years prior to the date of the libel, by Major Vitamins, Inc., from New York, N. Y.

PRODUCT: 1,296 packages of *vitamin tablets* at Bound Brook, N. J.

LABEL, IN PART: (Package) "Major-B Brand Natural Vitamin B Complex with added thiamine Tablets [or "Major B Complex Brand Natural Vitamin Tablets"]."

	Each Tablet		(3 Tablets)
	Milli-grams	Micro-grams	Micro-grams
Thiamine (Vitamin B ₁)	.333	333	1,000
Riboflavin (Vitamin B ₂)	0.166	166	500
Pyridoxine (Vitamin B ₆)	0.026	26	80
Pantothenic Acid	0.083	83	250
Niacin	0.166	166	500

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements in a leaflet entitled "Buoyant Health For All The Family," which was enclosed in each package of the article, were false and misleading. The statements represented and suggested that the article was effective to provide greater energy, steadier nerves, better digestion, improved health and vigor, better appetite, insurance from vitamin deficiencies, and physical well-being, and protection against frequent colds, constipation, fatigue, digestive upsets, and other common ills; that the article provided the vitamins found in whole wheat bread, eggs, milk, liver, and tomato juice; that there are widespread dietary deficiencies that would be corrected by use of the article; that the article contained nutritionally significant amounts of all vitamins of the B-complex; that foods are an unreliable source of vitamins for the reasons specified; and, therefore, that it was desirable, if not necessary, to supplement the ordinary diet with the article. The article was not capable of fulfilling the promises of benefit made for it.

The article was alleged also to be adulterated and misbranded under the provisions of the law applicable to foods, as reported in notices of judgment on foods.

DISPOSITION: October 9, 1951. Default decree of condemnation and destruction.

3618. Misbranding of Savory. U. S. v. 21 Jars * * *. (F. D. C. No. 31142. Sample Nos. 9892-L.)

LIBEL FILED: May 28, 1951, Northern District of Illinois.

ALLEGED SHIPMENT: On or about March 16, 1951, from New York, N. Y.

PRODUCT: 21 1-pound jars of *Savory* at Chicago, Ill., in possession of the Stanton Natural Food Co.

RESULTS OF INVESTIGATION: The article was shipped to Chicago in a number of 10-pound cans, and after receipt by the consignee it was repackaged into 1-pound jars and relabeled.

LABEL, IN PART: (Can) "Vegex Brand of Yeast Vegetable Extract with added Salt and Iron * * * One level teaspoonful (6 grams) supplies the listed percentages and amounts of the minimum daily adult requirements: 54% Vitamin B₁ (0.54 mg.) 14% Riboflavin (0.28 Mg.) 42% Iron (4.2 mg.) 4.2 mg. Niacin All other members of the B Complex natural to yeast the need for which in human nutrition has not been established"; (jar) "Savory A Splendid Blood Builder."

NATURE OF CHARGE: Misbranding, Section 502 (a), the following statements on the jar label were false and misleading since the article was not effective for building blood, and it was not effective in the treatment of the conditions stated and implied: "A Splendid Blood Builder * * * Nervousness * * * Indigestion * * * Loss of appetite * * * Constipation * * * Gas in the intestines * * * Colitis * * * Headache * * * Anemia * * * Heart Failure * * * Cerebral Hemorrhage * * * Loss of vigor